

## REMARKS

Applicants have amended the claims to more particularly point out and distinctly claim the invention. Before addressing the particulars of the claim rejections, Applicants note the following features described in the specification on, for example, page 58, line 2 through page 60, line 20. In particular, a media disk is provided having both a pre-recorded/mastered portion and a writeable (or "written") portion. Thus, pre-recorded or mastered content will be located in the pre-recorded portion. For content security purposes, this mastered content is associated with a unique media identifier that will also be located in the pre-recorded portion. However, suppose a "hacker" has copied this prerecorded media identifier and written it to another media disk having a writable portion. If the storage engine was merely programmed to read whether the appropriate media identifier was on the disk, the hacker will gain unauthorized access to the corresponding content. However, Applicants have thwarted this unauthorized access by providing a storage engine that determines the location of the identifier (mastered or written portion) and whether the identifier identifies itself as a mastered or written identifier. Clearly, if an identifier was located in the written portion but identified itself as a pre-recorded, an unauthorized copy has been made. Thus, as stated by the Applicants on page 60:

In one embodiment, an identifier that is a counterfeit will identify itself to an engine as a pre-recorded identifier, when, in fact the identifier is located in a portion of the disk for written content. The determination by the engine of whether the identifier is pre-recorded or written will depend on how the identifier identifies itself as well as the location of the identifier on the media. Thus, counterfeit media disks will be prevented from full functionality.

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Claim 1 reflects these advantageous features in that it recites the acts of "reading an identifier on the media disk; determining whether the identifier was located in the first or second portion of the media disk; determining whether the identifier identifies itself as a pre-recorded identifier or a written identifier; and if the identifier identifies itself as a pre-recorded identifier and is located in the second portion of the media disk, detecting an unauthorized action." No new matter has been added.

The Kataoka reference (USP 5,857,021) stands in sharp contrast. Specifically, Kataoka makes no teaching or suggestion for the determination of whether an identifier is located in a first portion [for pre-recorded content] or a second portion [for written content] let alone the additional acts of determining whether the identifier identifies itself as a pre-recorded identifier or as a written identifier and, if the identifier identifies itself as a pre-recorded identifier and is located in the first portion, detecting an unauthorized act. In addition, the indefiniteness rejection of claim 1 has been cured. The Harada reference (USP 6,581,160) adds nothing further. Accordingly, claim 1 is patentable over the art of record.

Because claims 2, 3, 6, 9, and 11 - 14 depend either directly or indirectly upon claim 1, they are patentable for at least the same reasons. Because claims 4, 5, 7, 8, and 10 have been canceled, their rejections are mooted.

Claims 15 has been amended analogously to the amendments discussed for claim 1. Accordingly, claim 15 is patentable over the art of record for the same reasons. Because claims 17, 18 and 21 depend upon claim 15, they are patentable for at least the same reasons. The rejections of claims 16, 19, and 20 is mooted by their cancellations.

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Similarly, claim 22 has been amended analogously to claim 1. Accordingly, claim 22 is patentable over the art of record for the same reasons.

Because claim 23 is cancelled, its rejection is mooted.

#### CONCLUSION

For the foregoing reasons, pending claims 1, 2, 3, 5, 9, 11 – 14, 17, 18, 21, and 22 are in condition for allowance.

If there are any questions regarding any aspect of the application, please call the undersigned at 949-752-7040.

#### Certification of Facsimile Transmission

I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Linda Bolter October 26, 2004  
Linda Bolter Date of Signature

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